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3761

SCHIFF HARDIN & WAITE

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

In re application of: Bennarsten et al.   GROUP ART UNIT: 3761

SERIAL NO.:   09/733,064   EXAMINER: M. Mendoza

FILED: December 11, 2000   CONFIRMATION NO.:2760   **RECEIVED**

TITLE: "A HIGH FREQUENCY OSCILLATOR VENTILATOR"   JAN 1 5 2003

AMENDMENT "A"   TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents
Washington D.C. 20231
SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
	CLAIMS AS AMENDED					
TOTAL CLAIMS	*	MINUS	**	X	( ) X 9.00 ( ) X 18.00	
INDEP. CLAIMS	*	MINUS		X	( ) X 40.00 ( ) X 84.00	
Application amended to contain any multiple dependent claims not previously paid for.				(˙) YES ( ) NO	( ) $140.00 ( ) $280.00 ONE TIME	
			TOTAL ADDITIONAL FEE FOR THIS AMENDMENT			$0.00

*   If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

**   If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of $_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of $ _____ is attached.

☐ A check for $ _____ accompanying IDS under 37 CFR 1.97(c) is attached

☐ A check for $ _____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.

■ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.

When phoning re this application, please call (312) 258-5500.

SCHIFF HARDIN & WAITE (Customer Number: 26574)

Patent Department

BY _____ (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 7, 2003

_____
Steven H. Noll
NAME OF APPLICANT'S ATTORNEY

_____
SIGNATURE

January 7, 2003
DATEw

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESUBMISSION OF AMENDMENT "A"

APPLICANTS: Bennarsten et al.   GROUP ART UNIT: 3761

SERIAL NO.: 09/733,064   EXAMINER: M. Mendoza

FILED: December 11, 2000   CONFIRMATION NO.:2760

TITLE: "A HIGH FREQUENCY OSCILLATOR VENTILATOR"

Assistant Commissioner for Patents,

Washington, D.C. 20231

S I R:

Amendment "A" was filed on December 23, 2002, and Applicants thereafter received a Notice of Non-Compliant Amendment noting a number of deficiencies in Amendment "A". Accordingly, Amendment is being resubmitted, with these deficiencies being corrected.

IN THE SPECIFICATION

The paragraph beginning at page 10, line 8 has been amended as follows:

In Fig. 3 an HFO ventilator 86 is shown having a primary gas conduit 88 with a patient opening 90 at one end and with an opening 92 at the opposite end connected to an extraction device 94. The extraction device 94 has a variable gas holding volume 96 which has a reciprocally moveable element, again shown as a piston 98, as a defining wall section. The piston 98 connects to a drive unit 100 which reciprocates the piston 98 at an operating frequency of the HFO ventilator 86 dependent on an oscillating control signal provided by the control signal generator 102. A bias gas flow inlet 104 connects to the inside of the primary conduit 88 at a location proximal the patient opening 90 and a gas outlet 106 connects to the inside of the primary conduit 88 via a humidifier 122b at a location distal the patient opening